

Appl. No. 10/801,137  
September 5, 2006

**AMENDMENTS TO THE DRAWINGS**

Please substitute the attached six (6) sheets of replacement drawings for the drawings originally filed.

**REMARKS/ARGUMENTS**

Claims 1-26 stand rejected in the outstanding Official Action. Claim 1 has been amended and therefore claims 1-26 remain in this application.

The Examiner objects to the previously submitted drawings as being informal. Applicants enclose herewith formal drawings, thereby obviating the previous objection to the drawings. Entry and consideration of the newly drafted formal drawings is respectfully requested.

Claims 1-7, 9-12, 14-20 and 22-25 stand rejected under 35 USC §102 as being anticipated by Swoboda (U.S. Publication 2004/0117717). As the Examiner apparently appreciates, it is necessary, in order to sustain a rejection under §102, that the Examiner indicate how or where the cited prior art reference teaches every claimed element and every claimed interrelationship among elements. The Examiner seems to have correctly argued that claim 1's "data processing logic" is the central processing unit 200 in Swoboda. Similarly, the "trace data sources" apparently correspond to the data trace generation unit 201, the program counter trace generation unit 202 and the timing trace generation unit 203. The claim 1 "trace data sinks" would appear to correspond to the Swoboda scheduler/multiplexer unit 204.

However, Applicants cannot find any indication by the Examiner that the final structure ("at least one flush signal generator") in Applicants' claim 1 or the last method step ("generating with at least one flush signal generator") in Applicant's claim 14 is shown or rendered obvious in the Swoboda reference. Should the Examiner believe otherwise, he is respectfully requested to indicate where the Swoboda reference teaches Applicants' claimed "at least one flush signal generator" for generating a flush request signal which is "passed to at least one of said one or

more trace data sources" wherein the said at least one of said one or more trace data sources "triggers a flush complete response . . . ."

While the Examiner seems to suggest in the paragraph bridging pages 3 and 4 of the Official Action that the "flush signal generator" exists, he only quotes portions from Swoboda's section 0030, lines 12-23 which contain no indication of anything which could be considered the "at least one flush signal generator." What specific structure does the Examiner contend is the claimed "at least one flush signal generator?" Where does the Examiner believe this portion of Swoboda to disclose Applicants' claimed interrelationship, i.e., generating a flush request signal which is passed to at least one of said one or more data trace sources? Where or how does the Examiner contend section 0030 of Swoboda contains the interrelationship "wherein said at least one of said one or more trace data sources triggers a flush complete response" when the particular trace data "has been output to one of said one or more trace data sinks?"

In fact, the portion of the Official Action bridging pages 3 and 4 appears to ignore the "flush signal generator" structure recited in Applicants' independent claim 1, as well as the claimed interrelationships of the generated flush request signal and the triggering of the "flush complete response." While Applicants have amended claim 1 to more positively recite these structures and structural interrelationships, independent claim 14 as previously submitted specifically recites the "generating" step as well as the interrelationship that "one or more trace data sources is operable to trigger a flush complete response."

The Examiner is respectfully requested to point out in detail where he believes Swoboda discloses or renders obvious the claimed structures and method steps, as well as the claimed interrelationships, should he persist in the rejection under the Swoboda reference. At present, it

seems apparent that Swoboda fails to teach all structures and all claimed interrelationships between structures and steps and therefore does not support an anticipation rejection of independent claims 1 and 14 or claims dependent thereon. Any further rejection of any of claims 1-26 is respectfully traversed.

Claims 8 and 21 stand rejected under 35 USC §103 as unpatentable over Swoboda further in view of Humpherys (U.S. Patent 6,128,682). The Examiner relies upon Swoboda as teaching the limitations of independent claims 1 and 14 and therefore the above comments distinguishing these claims from Swoboda are herein incorporated by reference.

The Examiner admits that Swoboda differs from the claimed invention "in that there is no specific reference to forcing the trace buses into a predetermined state." This admission is very much appreciated.

Additionally, the Examiner fails to indicate how or where he believes the Humpherys reference contains any disclosure of the claimed "at least one flush signal generator" or this claimed generating step in addition to the recited interrelationships set out in claims 1 and 14. As a result, neither Swoboda nor Humpherys teach the requirements of independent claims 1 and 14 and therefore claims 8 and 21 dependent thereon, respectively, cannot be considered obvious in view of the Swoboda/Humpherys combination.

Moreover, the Examiner fails to provide any "reason" or "motivation" for combining these two references. The Examiner is simply picking and choosing elements from the two different references and combining them using only Applicants' specification as the suggestion for such combination. As a result, there is simply no support for combining the Swoboda and

Humpherys references and thus any further rejection of claims 8 and 21 under 35 USC §103 is respectfully traversed.

Claims 13 and 26 stand rejected under 35 USC §103 as unpatentable over Swoboda. The above comments distinguishing claims 1 and 14 from the Swoboda reference are herein incorporated by reference, as claims 13 and 26 ultimately depend from claims 1 and 14, respectively.

The Examiner's admission that "Swoboda does not explicitly include the flush signal generator as part of the trace data funnel" is very much appreciated.

However, the Examiner's conclusion that it would be obvious for one of ordinary skill in the art to include a "flush signal generator" is respectfully traversed. The Examiner's attention is directed to the Manual of Patent Examining Procedure (MPEP) Section 2144.03 in which, in response to an examiner's apparent reliance on common knowledge in the art or "well known" prior art, Applicants respectfully traverse any such assertion by the Examiner that it would have been obvious to modify Swoboda in view of some teaching known to those of ordinary skill in the art. Thus, the Examiner is respectfully requested, pursuant to MPEP Section 2144.03, to "cite a reference in support of his or her position." Absent any reference supporting the admittedly missing structure from Swoboda, the subject matter of claims 13 and 26 is clearly patentable over the art of record.

It would appear that the only similarities between Swoboda and the present invention are that Swoboda discloses a tracing system and uses the word "flush." However, the similarity between the present invention and Swoboda does not go any further. Swoboda is concerned with ensuring that all trace data is output from the unit 204 without any odd remaining bits of data

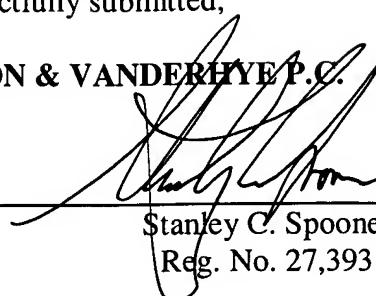
being left behind by virtue of the 10-bit to 3-bit conversion. This is done in Swoboda by adding an extra flush packet after a halt has been signaled. This extra packet can include any bits remaining after the format conversion.

However, Swoboda contains no disclosure or suggestion of generating a flush request signal passed back to the trace data sources to indicate the flush point within data buffered within those trace data sources. Neither does Swoboda contain any disclosure or suggestion of the trace data sources then triggering a flush complete response when trace data generated by the trace data source prior to the flush point has been output. Because neither of these concepts which are positively recited in Applicants' independent claims 1 and 14 are disclosed or even suggested by the Swoboda reference, there is simply no basis for a rejection under §102 or §103 of claims 1-26 in view of the Swoboda reference.

Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that amended claims 1-26 are in condition for allowance and notice to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicants' undersigned representative.

Respectfully submitted,

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